

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JIAHAN YU, derivatively on behalf of
DRAFTKINGS INC. f/k/a DIAMOND EAGLE
ACQUISITION CORP.,

Plaintiff,

v.

JASON D. ROBINS, JASON K. PARK, JEFF
SAGANSKY, ELI BAKER, SCOTT M.
DELMAN, JOSHUA KAZAM, FREDRIC D.
ROSEN, SCOTT I. ROSS, MICHAEL GAVIN
ISAACS, MATTHEW KALISH, WOODROW
H. LEVIN, PAUL LIBERMAN, SHALOM
MECKENZIE, JOCELYN MOORE, RYAN R.
MOORE, VALERIE MOSLEY, STEVEN J.
MURRAY, HANY M. NADA, RICHARD
ROSENBLATT, JOHN S. SALTER, HARRY
EVANS SLOAN, and MARNI M. WALDEN,

Defendants,

and

DRAFTKINGS INC. f/k/a DIAMOND EAGLE
ACQUISITION CORP.,

Nominal Defendant.

Case No.: 1:21-cv-08351-JSR

**NOTICE OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 41(a), Plaintiff Jiahan Yu ("Plaintiff") hereby voluntarily dismisses the above-captioned action against all defendants without prejudice. No defendant has filed an answer or moved for summary judgment. Neither Plaintiff nor counsel has received or will receive directly or indirectly any consideration for the dismissal.

Dated: October 13, 2021

THE ROSEN LAW FIRM, P.A.

/s/ Phillip Kim

Phillip Kim

275 Madison Avenue, 40th Floor

New York, NY 10016

Telephone: (212) 686-1060

Facsimile: (212) 202-3827

Email: pkim@rosenlegal.com

Counsel for Plaintiff

SO ORDERED

J. P. Kim
USDS 10-19-21